

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

Atty. Docket No.  
MMIC1100-2

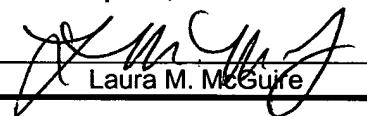
|   |                      |
|---|----------------------|
| Applicant                                   |                      |
| <b>Robert J. Poth</b>                       |                      |
| Application Number                          | Filed                |
| <b>Unknown</b>                              | <b>April 2, 2004</b> |
| For   |                      |
| <b>Usage Monitoring HVAC Control System</b> |                      |
| Group Art Unit                              | Examiner             |
| <b>Unknown</b>                              | <b>Unknown</b>       |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certification Under 37 C.F.R. §1.10**

I hereby certify that this document is being deposited with the United States Postal Service as Express Mail No. EV338102400US to Addressee in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on **April 2, 2004**.

Dear Sir:

  
Laura M. McGuire

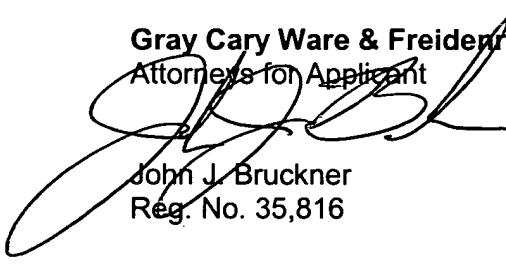
Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the art listed on the attached PTO SB/08A and PTO SB/08B forms be considered and cited in the examination of the above-identified divisional application. Copies of all these references were previously made of record in parent application 09/935,281. Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this art is material to the patentability of the present application.

If any fees are inadvertently omitted, or if any additional fees are required, or if any amounts have been overpaid, please appropriately charge or credit those fees to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP**

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2501123-991102

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|--|----------|----|----------|----------------------|------------------------------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |          |    |          | Application Number   | <b>Unknown</b>                     |
|  |          |    |          | Filing Date          | <b>April 2, 2004</b>               |
|  |          |    |          | First Named Inventor | <b>Robert J. Poth</b>              |
|  |          |    |          | Group Art Unit       | <b>Unknown</b>                     |
|  |          |    |          | Examiner Name        | <b>Unknown</b>                     |
| Sheet  | <b>1</b> | of | <b>2</b> | Attorney Ref. Number | <b>2501123-991102 (MMIC1100-2)</b> |

**U.S. PATENT DOCUMENTS**

| Examiner Initials  | Cite No.   | Document Number        |                      | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|--------------------|------------|------------------------|----------------------|--------------------------------|---|
|                    |            | Number                 | Kind Code (if known) |                                |   |
|                    | <b>A1</b>  | <b>3403382</b>         | --                   | <b>09/24/68</b>                | <b>Frielinghaus et al.</b>                      |
|                    | <b>A2</b>  | <b>4090248</b>         | --                   | <b>05/16/78</b>                | <b>Swanson et al.</b>                           |
|                    | <b>A3</b>  | <b>4234927</b>         | --                   | <b>11/18/80</b>                | <b>First</b>                                    |
|                    | <b>A4</b>  | <b>4341345</b>         | --                   | <b>07/27/82</b>                | <b>Hammer et al.</b>                            |
|                    | <b>A5</b>  | <b>4558958</b>         | --                   | <b>12/17/85</b>                | <b>Pena et al.</b>                              |
|                    | <b>A6</b>  | <b>4639876</b>         | --                   | <b>01/27/87</b>                | <b>Deeds</b>                                    |
|                    | <b>A7</b>  | <b>4918615</b>         | --                   | <b>04/17/90</b>                | <b>Suzuki et al.</b>                            |
|                    | <b>A8</b>  | <b>4931948</b>         | --                   | <b>06/05/90</b>                | <b>Parker et al.</b>                            |
|                    | <b>A9</b>  | <b>5544036</b>         | --                   | <b>08/06/96</b>                | <b>Brown, Jr. et al.</b>                        |
|                    | <b>A10</b> | <b>5544809</b>         | --                   | <b>08/13/96</b>                | <b>Keating et al.</b>                           |
|                    | <b>A11</b> | <b>5682949</b>         | --                   | <b>11/04/97</b>                | <b>Ratcliffe et al.</b>                         |
|                    | <b>A12</b> | <b>5761073</b>         | --                   | <b>06/02/98</b>                | <b>Dickson</b>                                  |
|                    | <b>A13</b> | <b>5761083</b>         | --                   | <b>06/02/98</b>                | <b>Brown, Jr. et al.</b>                        |
|                    | <b>A14</b> | <b>6240326</b>         | --                   | <b>05/29/01</b>                | <b>Gloudeman et al.</b>                         |
|                    | <b>A15</b> | <b>US 6241156</b>      | <b>B1</b>            | <b>06/05/01</b>                | <b>Kline et al.</b>                             |
|                    | <b>A16</b> | <b>US 6553418</b>      | <b>B1</b>            | <b>04/22/03</b>                | <b>Collins et al.</b>                           |
|                    | <b>A17</b> | <b>US 6604023</b>      | <b>B1</b>            | <b>08/05/03</b>                | <b>Brown et al.</b>                             |
|                    | <b>A18</b> | <b>US 6622115</b>      | <b>B1</b>            | <b>09/16/03</b>                | <b>Brown et al.</b>                             |
|                    | <b>A19</b> | <b>US 6631309</b>      | <b>B2</b>            | <b>10/07/03</b>                | <b>Boies et al.</b>                             |
|                    | <b>A20</b> | <b>US 6628997</b>      | <b>B1</b>            | <b>09/30/03</b>                | <b>Fox et al.</b>                               |
|                    | <b>A21</b> | <b>US 2001/0017483</b> | <b>A1</b>            | <b>08/30/01</b>                | <b>Frohberg</b>                                 |
|                    | <b>A22</b> | <b>US 2002/0011923</b> | <b>A1</b>            | <b>01/31/02</b>                | <b>Cunningham et al.</b>                        |
|                    | <b>A23</b> | <b>US 2002/0029096</b> | <b>A1</b>            | <b>03/07/02</b>                | <b>Takai et al.</b>                             |
|                    | <b>A24</b> | <b>US 2003/0033057</b> | <b>A1</b>            | <b>02/13/03</b>                | <b>Kallestad</b>                                |
|                    | <b>A25</b> | <b>US 2003/0163222</b> | <b>A1</b>            | <b>08/28/03</b>                | <b>Choi</b>                                     |
|                    | <b>A26</b> | <b>US 2003/0200009</b> | <b>A1</b>            | <b>10/23/03</b>                | <b>von Kannewurff et al.</b>                    |
| Examiner Signature |            |                        |                      | Date Considered                |   |

